

UNITED STATES DISTRICT COURT

for the

Southern District of New York



Avocet Shipping, LLC et al.

Plaintiff

v.

Navig8 Bulk Pool Inc.

Defendant

Civil Action No. 16-CV-4541 (DAB)

WAIVER OF THE SERVICE OF SUMMONS

To: Thomas L. Tisdale

(Name of the plaintiff's attorney or unrepresented plaintiff)

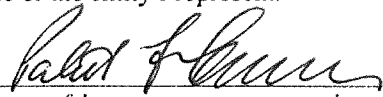
I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 09/12/2016, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 09/12/2016


 Signature of the attorney or unrepresented party

 Navig8 Bulk Pool Inc.
 Printed name of party waiving service of summons

 Patrick Lennon
 Printed name
 Lennon, Murphy & Phillips, LLC
 420 Lexington Ave, Ste. 300
 New York, NY 10170

Address

plennon@lmpaw.net

E-mail address

(212) 490-6050

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

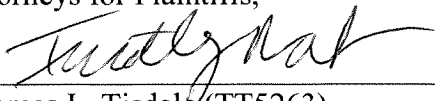
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
AVOCET SHIPPING,LLC,	:	
BITTERN SHIPPING LLC,	:	
CANARY SHIPPING LLC,	:	
CRANE SHIPPING LLC,	:	
EGRET SHIPPING LLC,	:	
FALCON SHIPPING LLC,	:	
GREBE SHIPPING LLC,	:	
IBIS SHIPPING LLC,	:	
KINGFISHER SHIPPING LLC,	:	
MARTIN SHIPPING LLC,	:	
NIGHTHAWK SHIPPING LLC,	:	
SHRIKE SHIPPING LLC,	:	
THRUSH SHIPPING LLC,	:	
and WREN SHIPPING LLC	:	
	:	
Plaintiffs,	:	
	:	16 Civ. 4541 (DAB)
- against -	:	
	:	
NAVIG8 BULK POOL INC.	:	
	:	
Defendant.	:	
-----X	:	

CERTIFICATION OF SERVICE

I hereby certify that on September 13, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF system.

Dated: September 13, 2016

Attorneys for Plaintiffs,
By: 
Thomas L. Tisdale (TT5263)
Timothy J. Nast (TN 8578)
Tisdale Law Offices, LLC
60 E. 42nd Street, Ste. 1638
New York, NY 10165
Tel: 212-354-0025
ttisdale@tisdale-law.com
tnast@tisdale-law.com